

KREINDLER & ASSOCIATES

Mitchell R. Kreindler
mkreindler@blowthewhistle.com
www.blowthewhistle.com

7676 Hillmont Street, Suite 240A
Houston, TX 77040-6478
Fax: 713.647.8889
713.647.8888

March 20, 2018

Lyle W. Cayce, Clerk
Amanda Sutton-Foy, Deputy Clerk
Office of the Clerk
United States Court of Appeals for the Fifth Circuit
600 S. Maestri Place
New Orleans, LA 70130

United States Court
Southern District of Texas
FILED
MAR 22 2018
David J. Bradley, Clerk of Court

No. 17-20618

In re: Richard Drummond
USDC No. 4:08-CV-2441

Dear Ms. Sutton-Foy:

In response to the Court's request for supplemental briefing on the pending petition for a writ of mandamus, Richard Drummond informs the Court that his petition is as relevant today as it was when it was filed on October 3, 2017.

The district court's December 28, 2017 Opinion and Order on Personal Liability (Dkts. 206, 207) resolved only one motion referenced in Dr. Drummond's petition, the United States' Motion For Partial Summary Judgment Establishing Maghareh's Personal Liability (Dkt. 160). The two other motions for summary judgment and partial summary judgment, identified in the petition and listed in Exhibit E to the petition, remain unresolved. Since the petition was filed, no case management orders have been entered, no trial date has been established and, as the Court observed, no final judgement has been issued.

Both of the pending motions were fully-briefed almost four years ago. In less than five months, the case will reach the tenth anniversary of its August 2008 filing. Dr. Drummond's petition is far from moot.

Respectfully submitted,



Mitchell R. Kreindler

COUNSEL FOR RELATOR AND PETITIONER
RICHARD DRUMMOND

CERTIFICATE OF SERVICE

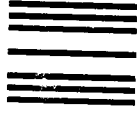
I certify that on this 20th day of March 2018, Relator Richard Drummond's supplemental letter brief responding to the Court's March 12, 2018 directive was served on all counsel of record automatically through the Notice of Electronic Filing (NEF) issued by the Court's Electronic Case Filing (ECF) System. Copies of Dr. Drummond's supplemental letter brief were also served on (1) the trial court judge, The Honorable Lynn Hughes, via U.S Mail and via email to his Case Manager, Glenda Hassan (Glenda_Hassan@txs.uscourts.gov), and (2) counsel representing the United States before the trial court, Assistant U.S. Attorney Michelle Zingaro (MZingaro@usa.doj.gov) and DOJ Trial Attorney Richard Nicholson (Richard.Nicholson@usdoj.gov).


Mitchell R. Kreindler

062S0005095827



\$0.470
US POSTAGE
FIRST-CLASS
FROM 77040
MAR 21 2018
stamps.com



N HOUSTON
TX 773
20 MAR '18
PM 4:1



The Honorable Lynn N. Hughes
United States District Court
515 Rusk Street Ste 11122
Houston TX 77002-2605

KREINDLER & ASSOCIATES
7676 HILLMONT STREET • SUITE 240A • HOUSTON, TX • 77040